

**MINUTES**

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION**

HON. CHARLES S. COODY, JUDGE AT                      Montgomery, Alabama  
DATE COMMENCED:            3/21/06                      AT                      2:04 p.m. to 2:17 p.m.  
DATE COMPLETED:        3/21/06                      TO                      Digital Recorded

UNITED STATES OF AMERICA

V.                      \*  
                             \*  
                             \*                      CASE NO.: 2:05CR119-MEF-CSC  
                             \*  
Don Eugene Siegelman, et al                      \*  
                             \*

**GOVERNMENT**

**APPEARANCES:**

**DEFENDANT**

Atty. J. B. Perrine                      \*                      Atty. Redding Pitt (Siegelman)  
   \*                      Atty. James Jenkins (Scrushy)  
   \*                      Atty. Leslie V. Moore (Scrushy)  
   \*                      Atty. Michel Nicrosi (Hamrick)  
   \*                      Atty. David McKnight (Roberts)  
   \*

**COURT OFFICIALS PRESENT:**

Court Room Deputy: Wanda Stinson  
Law Clerk: Corrie Long

Court Reporter: Jimmy Dickens

Clerk of Court: Debra P. Hackett

( ) NON-JURY TRIAL

(X) OTHER PROCEEDINGS: TELEPHONE CONFERENCE

**SEE MINUTES ATTACHED**

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED		
<b>Description</b>	Telephone Conference: 2:05cr119-F-CSC	
<b>Date</b>	3/21/2006	<b>Location</b> Courtroom 4B
<b>Time</b>	<b>Speaker</b>	<b>Note</b>
2 :04:25 PM	Court	Conference call begins; parties present on line as noted; Parties advised to inform other counsels about this conference call who are not present on line; Discussions regarding data provided in the Siegelman case and the Carmichael case data related to the jury charges could be used to identify persons who have been called as jurors in the USA v. Siegelman case; The data has not been used for that purpose and will not be used for that purpose; Judge Fuller will enter an order requiring anyone who has had access to the datat must file an affidavit by Friday of this week certifying that they have not used the data for the purpose of retrieving the names of or other identifying information of the those persons who will be called has potential jurors in the Siegelman case;
2 :07:56 PM	Atty. Jenkins	Response - can affidavit be filed by ECF system?
2 :08:03 PM	Court	Yes;
2 :08:05 PM	Atty. Jenkins	There will an order entered by Judge Fuller or the Court as to what should be included in the affidavit;
2 :08:09 PM	Court	The affidavit needs to certify that you haven't used the data for the purpose set forth in the order;
2 :08:21 PM	Atty. Jenkins	Response;
2 :08:45 PM	Atty. McKnight	Questions as to those who didn't have access, need not file an affidavit;
2 :08:52 PM	Court	No, it's not necessary to file anything if you have not had access ;
2 :09:28 PM	Atty. Jenkins	Discussions as to another scheduling matter re March 27th date to exchange exhibits, witness and expert reports; Ask permission the exchange witness list at a later date like April 3rd and the exhibits around April 7th;
2 :10:44 PM	Atty. Perrine	Have no objections to that;
2 :10:47 PM	Court	It's so ordered that the dates specified by Mr. Jenkins shall be the date on which the exchanges take place;
2 :10:57 PM	Court	Parties advised of Mrs. Hackett's presence in the courtroom and wishes to speak;
2 :11:01 PM	Mrs. Hackett	Question regarding yesterday's conference on the discussion of Mr. Jenkins request to 5, 6, and 7 of the Fourth motion that they did not get all the records , to clarify that they did get all the records;
2 :12:34 PM	Atty. Jenkins	Response;
2 :13:34 PM	Mrs. Hackett	Will go back and look one more time;
2 :13:54 PM	Atty. Jenkins	Response;
2 :14:13 PM	Mrs. Hackett	Response;
2 :14:29 PM	Atty. Jenkins	Response;
2 :14:45 PM	Mrs. Hackett	Discussions as to #6 and #7;
2 :15:45 PM	Atty. Jenkins	Response; Discussions as to paragraph 8;
2 :17:10 PM	Court	Conference call ends;